

# COURT MINUTES OF FINAL PRETRIAL CONFERENCE

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UNITED STATES of AMERICA,

v.

CASE NO. 06-CR-320

DAVID OLOFSON.

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## HON. J. P. STADTMUELLER PRESIDING

DATE: February 13, 2007

TIME SCHEDULED: 8:30 a.m.

LAW CLERK: Melissa Burkland

TIME CALLED: 9:56 a.m.

COURT REPORTER: Sheryl Stawski

TIME FINISHED: 10:27 a.m.

INTERPRETER: N/A

GOVERNMENT BY: AUSA Gregory Haanstad

DEFENDANT BY: Attorney Christopher Rose

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### Notes:

9:56 a.m. Appearances

9:57 Court comments to background of case

9:58 Government comments that it will take 1.5 days to try its case

9:58 Defendant's attorney comments that they have 4 witnesses; the defendant's side will take 1-1.5 days to try

9:59 Court comments that the case will be tried in 2 days – in its entirety

9:59 Defendant's attorney comments that he is not prepared to go forward on Tuesday, February 20, 2007; defendant's attorney comments that he has scheduling conflicts

10:01 Court comments to the defense attorney's filings

10:06 Court comments to video evidence; government comments that there is no plan to play video evidence

10:07 Court orders that a further test firing be accomplished and further comments that this will go a long way in proving the point that it is an automatic weapon; court comments that this be taped and presented to the jury; the defendant does not have to be present at the firing but he should be allowed to examine the video

10:08 Court comments that the defendant may be retained at a fee of not more than \$300.00; court comments that experts are not paid \$400.00 per day to testify

10:11 Court comments that the rates are \$35.00 to \$50.00 per hour, not including travel time, etc.

10:12 Defense attorney comments to the reasons why they thought an expert was necessary

10:16 Court comments that the defendant's attorney must sit down with his client and have a detailed conversations about the sentencing guidelines and the implications of going to trial

10:20 Court comments that the parties must arrange for a filmed test fire

10:22 Defendant's attorney comments

10:25 Court sets Thursday, February 22, 2007 at 8:30 a.m. for a status conference; at this hearing, the defendant should be prepared to inform the court if the case is going to trial; if it is, the court will begin the trial during the week of March 5, 2007 or March 19, 2007

10:27 Court stands in recess